

**PENNSYLVANIA
PUBLIC UTILITY COMMISSION
Harrisburg, PA 17120**

Public Meeting held December 4, 2025

Commissioners Present:

Stephen M. DeFrank, Chairman
Kimberly Barrow, Vice Chair
Kathryn L. Zerfuss
John F. Coleman, Jr.
Ralph V. Yanora

Cancellation of Certificate of Public
Convenience of Northeastern Movers, Inc.

A-2024-3046642
A-2024-3050934
M-2025-3053520
A-8922088

OPINION AND ORDER

BY THE COMMISSION:

Before the Pennsylvania Public Utility Commission (Commission) for consideration and disposition is the Petition for Reinstatement of Certificate of Public Convenience (Petition), filed on July 16, 2025, by Northeastern Movers, Inc. (Northeastern or Petitioner), in the above-captioned proceedings. The Petition was filed in response to Secretarial Letters issued on May 22, 2025, and June 3, 2025, which cancelled the Petitioner's Certificates of Public Convenience (Certificates) in the above-captioned dockets. No answers to the Petition have been filed. For the reasons set forth below, we will conditionally grant the Petition, consistent with this Opinion and Order.

I. History of Proceeding

On February 21, 2024, Northeastern filed an Application for approval to transport household goods in use between points in Pennsylvania (Household Application). Notice of the Application was published in the Pennsylvania Bulletin on March 9, 2024, with a deadline of March 25, 2024, for the filing of protests.¹

There were two protestants to Northeastern's Household Application. Matheson Transfer Co. (Matheson) filed a protest on March 12, 2024, and Cadden Bros. Moving & Storage Inc. (Cadden Bros.) filed a protest on March 19, 2024. Both Matheson and Cadden Bros. filed letters withdrawing their protests on May 10, 2024.

On August 23, 2024, and based on the withdrawal of the protests in this matter, the Commission's Office of Administrative Law Judge (OALJ) issued an Order Reassigning Northeastern's Household Application to the Commission's Bureau of Technical Utility Services (TUS) for review, pursuant to 52 Pa. Code § 3.381(c).

On August 26, 2024, Northeastern also filed an Application for Approval to transport property, excluding household goods, between points in Pennsylvania (Property Application). No protests were filed to the Property Application, and a Secretarial Letter was issued on August 29, 2024, approving Northeastern's Property Application, conditioned upon Northeastern's insurance company filing proof of insurance via Form E and Form H. A certificate of public convenience was issued on October 1, 2024, after filing of a Form E and Form H by Northeastern's liability carrier, Progressive (d/b/a United Financial Casualty Company).

¹ At all times during these proceedings, Northeastern has been represented by counsel. Unless otherwise stated, all documents were served on counsel for Northeastern.

TUS issued a Secretarial Letter approving Northeastern's Household Application on September 3, 2024 (*September 2024 Secretarial Letter*). The *September 2024 Secretarial Letter* required Northeastern to cause its insurance company to file acceptable Forms E and H, constituting evidence of liability insurance, and a draft tariff. *September 2024 Secretarial Letter* at 1.

Northeastern filed a Notification of Address Change at Docket Nos. A-2024-3050934 and A-2024-3046642 on September 6, 2024 reflecting a change of address from Brooklyn, New York, to Scranton, Pennsylvania.

Northeastern's liability carrier, Progressive (d/b/a United Financial Casualty Company), filed the Petitioner's Form E on September 24, 2024, and its Form H on September 27, 2024 in the Household Application. A certificate of public convenience was issued on September 30, 2024. Northeastern's tariff was filed on October 1, 2024.

On November 1, 2024, Northeastern's liability carrier, Progressive (d/b/a United Financial Casualty Company), filed a Form K with the Commission, notifying the Commission of its cancellation of Northeastern's insurance coverage, effective December 6, 2024. Petition at 1, Exh. A.

On December 26, 2024, Northeastern's new liability carrier, Prime Insurance Company, filed a Form E with a retroactive effective date of December 13, 2024. The Form E filed by Prime Insurance Company was rejected by the Commission, and Prime Insurance Company's underwriter failed to remedy the identified error with the filing. Petition at 1, Exh. A.

On March 27, 2025, the Commission issued a Tentative Order cancelling the certificates of public convenience for numerous motor carriers, citing their failure to

maintain evidence of insurance. *See Cancellation of Certificates of Public Convenience for Motor Carriers; Failure to Maintain Evidence of Insurance*, Docket No. M-2025-3053520 (Tentative Order entered March 27, 2025) (*Tentative Order*). The *Tentative Order* was not served upon Northeastern's counsel.

On May 22, 2025, the Commission issued a Secretarial Letter cancelling Northeastern's Certificate of Public Convenience but including only the docket number for Northeastern's household goods authority (*i.e.*, Docket No. A-2024-3046642) (*May 2025 Secretarial Letter*). A corrected Secretarial Letter cancelling Northeastern's Certificates of Public Convenience for household and non-household goods was issued on June 3, 2025 (*June 2025 Secretarial Letter*). Both Secretarial Letters included an error in the address line. Specifically, the Secretarial Letters included only four digits where the five digit zip code should be located. Neither of these documents were served upon counsel for Northeastern.

On July 10, 2025, the Petitioner was seeking to report a suspected unlicensed operator in Northeastern's operating area and found that Northeastern's authority had been cancelled. Petition at 2, Exh. D.

As referenced, *supra*, the Petition was filed on July 16, 2025. No response to the Petition has been filed.

II. Discussion

A. Legal Standards

It is well settled that decisions such as whether to grant a petition for reinstatement are left to the Commission's discretion and will be reversed only if that discretion is abused. *Hoskins Taxi Service, Inc. v. Pa. PUC*, 486 A.2d 1030

(Pa. Cmwlth. 1985). In ruling upon a petition for reinstatement, it is incumbent upon this Commission to examine all relevant factors in order to reach an equitable result.

Re Medical Transportation, Inc., 57 Pa. P.U.C. 79 (1983).

The Commission has identified five factors that are particularly relevant to the determination of a petition to reinstate: (1) the amount of time that elapsed between the cancellation of the certificate of public convenience and the filing of the petition to reinstate; (2) whether the petitioner has a record of habitually violating the Public Utility Code; (3) the reasonableness of the excuse given for the violation that caused the certificate of public convenience to be cancelled, *Re: Bishop*, 58 Pa. P.U.C. 519 (1984); (4) whether the petitioner has implemented procedures to prevent a recurrence of the circumstances giving rise to the subject complaint, *Pa. PUC v. Grimm Motors*, Docket No. A-00111048, *et al.* (Order entered May 1, 1998); and (5) whether the petitioner is in compliance with the requirement that all outstanding civil penalties and/or assessments must be current prior to reinstatement, *Re: M.S. Carriers, Inc.*, Docket No. A-00110601 (Order entered May 4, 1999).

B. Petition

In its Petition, Northeastern avers that it did not receive the *Tentative Order*, *May 2025 Secretarial Letter*, or *June 2025 Secretarial Letter*. Petition at 2, McKeon Declaration ¶ 5. Indeed, Edward McKeon, sole shareholder of Northeastern states that “[p]rior to July 10, 2025, I was unaware that Northeastern Movers’ operating authority had been suspended or cancelled, or that there was any problem with my insurance certificates.” *Id.* at 2, McKeon Declaration ¶ 7.

Northeastern outlines the five factors, *supra*, relevant to the Commission's determination of the Petition and asserts that the factors "weigh in favor of reinstatement." Petition at 2-3. Specifically, Northeastern emphasizes the following:

While a year has passed since the cancelation of Petitioner's authority, Petitioner only learned about this cancellation a few days ago. Petitioner has no record of violating the Code or the Commission's Regulations. Petitioner's unawareness [*sic*] of the cancellation is reasonable. Furthermore, this results from a technical error by an insurance underwriter, not a failure to maintain insurance. Northeastern had (and continues to have) liability insurance. (**Exhibit E**). Petitioner has no unpaid civil assessments or penalties.

Id. at 3 (emphasis in original). Northeastern also represents that it will set a monthly calendar reminder to ensure that its operating authority remains active and insurance information is accurate. *Id.*

In support of its position, Northeastern cites to the Commission's Opinion and Order in *Cancellation of Certificate of Public Convenience of New Beginning's Moving & Hauling LLC*, where the Commission rescinded the cancellation of a motor carrier's authority. Docket No. A-2022-3036210 (Opinion and Order entered September 21, 2023) (*New Beginning's*). Northeastern highlights that in *New Beginning's*, the Commission granted the request of the petitioner in that proceeding to rescind the cancellation of the petitioner's certificate of public convenience, based upon, among other things, the petitioner's insurance company failing to notify the petitioner of the rejection of its Form E and failing to refile in order to maintain compliance. Petition at 3 (citing *New Beginning's* at 7).

Based on the above arguments, Northeastern insists that the relevant standards for reinstatement are met and the Commission should reinstate both its

household goods operating authority and its property other than household goods operating authority. Petition at 3-4.

C. Disposition

Based upon our review, we will conditionally grant the Petition. We note that Northeastern initially complied with all requirements regarding filings with the Commission to receive its Certificates, as indicated by the Commission's issuance of Certificates to Northeastern. However, subsequent to changing liability insurance companies after the filing of a Form K by Northeastern's prior insurer, Progressive (d/b/a United Financial Casualty Company), the Commission did not receive a valid Form E. Consequently, the Commission included Northeastern in the *Tentative Order* in the list of carriers failing to have insurance and provided the Petitioner with thirty days to comply with the *Tentative Order*. Upon its failure to comply with the directives set forth *Tentative Order*, the Commission cancelled Northeastern's Certificates via the *May 2025 Secretarial Letter* and *June 2025 Secretarial Letter*.

In deciding whether to grant or deny Northeastern's Petition and reinstate its operating authorities, we note that it is necessary to evaluate all five reinstatement factors, *supra*.

The first factor considered by the Commission is the amount of time a certificate has been cancelled and dormant. As mentioned, *supra*, Northeastern filed the instant Petition on July 16, 2025, forty-three (43) days after the issuance of the *June 2025 Secretarial Letter* cancelling Northeastern's authority. The length of this dormancy is mitigated by the facts alleged by Northeastern in its Petition. More specifically, in its Petition, Northeastern avers that its owner did not receive the *Tentative Order*, *May 2025 Secretarial Letter*, or *June 2025 Secretarial Letter* based on errors in the mailing

addresses in these documents. Petition at 2 at Exhibit B and Exhibit C).² Northeastern represents that it only became aware of the cancellation of Northeastern's Certificates on July 10, 2026. Petition at 2 Exhibit D. Given the extenuating circumstances, and the prompt filing by Northeastern of its Petition, upon finding its authority was cancelled, this factor weighs in favor of granting reinstatement.

The second reinstatement factor is whether Northeastern has a record of habitually violating the Code or the Commission's Regulations. As indicated, *supra*, Northeastern was certificated in September of 2024. A review of the Commission's records does not reveal any violations on the part of Northeastern. Accordingly, we conclude that this factor weighs in favor of reinstatement.

The third reinstatement factor considers the reasonableness of the excuse offered for the violation that caused Northeastern's Certificates to be cancelled. As discussed above, the reason for cancellation of Northeastern's Certificates was a failure to comply with the insurance requirements under 66 Pa.C.S. § 512. Northeastern represents that it was unaware of the cancellation of its Certificates because it did not receive the *Tentative Order, May 2025 Secretarial Letter*, or *June 2025 Secretarial Letter*. Petition at 2. Further, Northeastern's new liability insurance carrier, Prime Insurance Company, did not notify Northeastern of the rejection of its Form E or refile the Form E to maintain compliance with the Commission's Regulations. *Id.* at 1. Considering these circumstances and noting the documents were not served on Northeastern's counsel and included an erroneous zip code, we find Northeastern's excuse to be reasonable in the circumstances. Accordingly, we weigh this factor in favor of reinstatement.

² Petition Exhibit B is a copy of the *May 2025 Secretarial Letter*, while Petition Exhibit C is a copy of the *June 2025 Secretarial Letter*.

Fourth, we address whether Northeastern has implemented procedures to prevent a reoccurrence of the circumstances leading to the instant violation. As noted, *supra*, Northeastern states that it has created a monthly calendar entry and will routinely check to ensure compliance with all Commission requirements. Petition at 3. Accordingly, this factor weighs in favor of reinstatement.

Finally, we address the fifth reinstatement factor and whether all assessments and fines are paid and current. Northeastern has no unpaid civil penalties or assessments. Therefore, this factor weighs in favor of reinstatement.

Based upon the totality of the facts and circumstances in this case, we find that a conditional reinstatement of Northeastern's Certificates is appropriate. In conditionally granting reinstatement, we note that Northeastern's Petition includes a Certificate of Liability Insurance. However, as of the issuance of this Opinion and Order, no Form E has been filed with the Commission. Therefore, we shall condition our reinstatement of Northeastern's Certificates upon Northeastern having its insurance company file an updated and valid Form E, showing evidence of liability insurance, and any other information deemed necessary by the Commission, within twenty (20) days of this Opinion and Order. Upon successful filing and acceptance of this information, the Commission shall reinstate Northeastern's Certificates and operating authorities.

We further note that if Northeastern fails to have its insurance company provide the Form E to the Commission, or to file other information with the Commission in a timely fashion, its Certificates shall remain cancelled. Under this scenario, if Northeastern would choose to continue operating, it would need to submit new applications for authority.

III. Conclusion

For the reasons discussed herein, we shall conditionally grant the Petition of Northeastern Movers, Inc., consistent with this Opinion and Order; **THEREFORE,**

IT IS ORDERED:

1. That the Petition for Reinstatement of Certificate of Public Convenience filed by Northeastern Movers, Inc., on July 16, 2025, at Docket Nos. A-2024-3046642 and A-2024-3050934 is granted on the following condition:

That Northeastern Movers, Inc. shall have its insurance company submit a Form E and any other necessary information within twenty (20) days from the date of this Opinion and Order.

2. That, if Northeastern Movers, Inc. complies with the requirements of Ordering Paragraph No. 1 above, the Secretary's Bureau shall reinstate the Certificates of Public Convenience of Northeastern Movers, Inc. at Docket Nos. A-2024-3046642 and A-2024-3050934.

3. That, if Northeastern Movers, Inc. fails to comply with the requirements of Ordering Paragraph No. 1, above, the Certificates of Public Convenience of Northeastern Movers at Docket Nos. A-2024-3046642 and A-2024-3050934 will remain cancelled, without further action of the Commission.

4. That a copy of this Opinion and Order shall be served on the Fiscal Office of the Commission's Bureau of Administration.

5. That a copy of this Opinion and Order shall be served on the Bureau of Technical Utility Services.

6. That, if Northeastern Movers, Inc. complies with Ordering Paragraph No. 1 above, the Secretary's Bureau shall issue a Secretarial Letter to the Pennsylvania Department of Transportation and the Pennsylvania Department of Revenue notifying the respective departments of the reinstatement of Northeastern Movers, Inc.'s Certificates of Public Convenience at the above operating authorities.

7. That, if Northeastern Movers, Inc. complies with Ordering Paragraph No. 1 above and its Certificates of Public Convenience are reinstated, the Secretary's Bureau shall mark these proceedings at Docket Nos. A-2024-3046642 and A-2024-3050934 closed.

8. That, if Northeastern Movers, Inc. fails to comply with Ordering Paragraph No. 1 above, its Certificates of Public Convenience shall remain cancelled, and the Secretary's Bureau shall mark these proceedings at Docket Nos. A-2024-3046642 and A-2024-3050934 closed.

BY THE COMMISSION,



Matthew L. Homsher
Secretary

(SEAL)

ORDER ADOPTED: December 4, 2025

ORDER ENTERED: December 4, 2025